

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

**LEVIN RICHMOND TERMINAL
CORPORATION, ET AL.,**

Plaintiffs,

vs.

CITY OF RICHMOND, ET AL.,

Defendants,

CASE NOS. 20-cv-01609-YGR
20-cv-01614-YGR
20-cv-01643-YGR

**ORDER PROVISIONALLY GRANTING
MOTION TO INTERVENE**

WOLVERINE FUELS SALES, LLC,

Plaintiff,

vs.

CITY OF RICHMOND, ET AL.,

Defendants,

PHILLIPS 66 COMPANY,

Plaintiff,

vs.

CITY OF RICHMOND, ET AL.,

Defendants.

On October 13, 2020, the State of Utah filed a Motion to Intervene in these related actions. Having carefully considered the briefing and arguments submitted on the motion, and for the reasons stated on the record at the November 24, 2020 hearing, the Court **PROVISIONALLY GRANTS** Utah's Motion to Intervene under Federal Rule of Civil Procedure 24(b) subject to the following conditions:

- (1) Discovery is hereby **STAYED** until further Order of the Court;
- (2) Utah shall file its proposed complaint on **November 25, 2020**;

(3) Defendants City of Richmond and the City Council of the City of Richmond shall file their motion to dismiss Utah's complaint no later than **December 22, 2020**;

(4) Utah shall file its opposition no later than **January 12, 2021**; and


(5) Defendants shall file their reply no later than **January 19, 2021**.

The hearing on defendants' motion to dismiss shall be set for **Tuesday, February 2, 2021 at 2:00 p.m.** If the State of Utah does not survive the motion to dismiss, the provisional grant of intervention will likely be revoked. Once the stay is lifted, the Court will revise the scheduling order.

This Order terminates Docket Number 73 in Case No. 20-cv-1609; Docket Number 75 in Case No. 20-cv-1614; and Docket Number 70 in Case No. 20-cv-1643.

IT IS SO ORDERED.

Dated: November 25, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE